

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of TRASCEY L. JENNINGS and DEPARTMENT OF JUSTICE,
FEDERAL PRISON SYSTEMS, Florence, CO

*Docket No. 01-343; Submitted on the Record;
Issued August 23, 2002*

DECISION and ORDER

Before ALEC J. KOROMILAS, WILLIE T.C. THOMAS,
A. PETER KANJORSKI

The issue is whether the Office of Workers' Compensation Programs properly denied appellant's request for reimbursement for an art class and massage therapy.

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record. The Board finds that decision of the Office hearing representative, dated and finalized on October 18, 2000, is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.¹

¹ The Board notes that appellant's treating physician recommended art class in order for appellant to leave the house and have exposure and build trust in other people. The physician did not explain with any rationale why this same goal could not be attained by appellant engaging in any number of activities except the art class. Furthermore, the massage therapy was noted to relieve stress-related muscle tension. The Office, however, has not yet accepted a muscle condition as a consequential injury of appellant's accepted emotional condition. Thus, appellant is not entitled to reimbursement of medical expenses related to muscle tension.

Accordingly, the decision of the Office of Workers' Compensation Programs dated October 18, 2000 is hereby affirmed.

Dated, Washington, DC
August 23, 2002

Alec J. Koromilas
Member

Willie T.C. Thomas
Alternate Member

A. Peter Kanjorski
Alternate Member